

that over time and in evolving ways, cultural exchanges could render service in partnership with government (as well as foundations and corporations) that would continue to enhance America's public diplomacy process.

We believe that through the export of a wide diversity of American arts and artists, and the import (and ready admission through the passage of the Arts Require Timely Service Act [H.R. 1785 and S. 1409]) of a broadly representative group of foreign arts and artists, America's best foreign and domestic cultural interests would be served.

#### LEADERSHIP AT THE FEDERAL LEVEL

We believe that the effectiveness of American public diplomacy would be advanced by the integration of cultural diplomacy into the policy-making process of the White House and the State Department.

We propose that a National Convening on Cultural Diplomacy incorporate into its agenda an examination of the recent call by various nongovernmental study groups concerned with Federal support of the arts generally for the creation of a full time White House post specifically charged with promoting the arts and culture as part of the Domestic Policy Council. Arts and cultural professionals agree that without a strong and healthy cultural sector at home (frequently characterized as cultural vibrancy), the U.S. would not have the rich pool of diverse talents in place and available when selecting art and artists to represent the nation at its best internationally.

We further recommend that a National Convening on Cultural Diplomacy be given the opportunity to propose the creation by the President of a position on the National Security Council (NSC) to oversee public diplomacy, including the coordination of relevant arts and cultural exchange efforts with the Domestic Policy Council, State Department, and the Federal cultural agencies.

We further recommend the National Convening agenda include a proposal for the creation of a Standing Committee to advise the Secretary of State on ways in which the State Department could begin to renew its diplomatic strength and expertise in the area of culture. Committee members would be persons in the arts world involved in both informal and formal international exchanges.

We would also recommend that a Special Envoy for Culture be appointed by the State Department to work on building relationships and partnerships with foreign governments and international bodies such as UNESCO, International Council of Museums, World Heritage Alliance, et al.

#### EXPANDING FEDERAL PROGRAMS

We believe that it is both timely and desirable to urge the creation of a new direction for public diplomacy through the expansion of Federal cultural programming.

We believe that key to this new direction is an expansion of the budgetary capacity of the State Department to increase the number of cultural affairs officers stationed at embassies and consulates and their capabilities for carrying out cultural programming as the ones most informed about what exchanges would be best coupled with which country.

We recommend that, in addition to increasing its personnel numbers, the State Department further enhance its ability to attract good people by creating parity in career advancement and status between cultural affairs officers and political officers.

We believe that the State Department would benefit as well from the creation of a Cultural Diplomacy Fellowship Program that would increase the flow of personnel through the cultural diplomacy system; rotate outside cultural experts through the De-

partment; and enable State Department employees to go for further training at cultural institutions in the U.S. and abroad for fixed periods of time.

Additional recommendations that have been proposed for consideration by a National Convening on Cultural Policy include:

A publicity campaign coordinated by the State Dept., NEA, NEH, and IMLS to alert more U.S. and foreign artists and cultural institutions about the opportunities available for international cultural exchanges, including Fulbright fellowships.

Ways for the United States Agency for International Development (USAID) to support cultural programs that are consistent with their development goals (i.e., cultural preservation projects and arts and crafts programs).

Ways for the Peace Corps and AmeriCorps to develop cultural projects and recruit artists into both organizations.

Ways for the Commerce Department to promote cultural tourism that would direct Americans to cultural programs abroad and market cultural activities in the U.S. to foreign tourists.

Increase funding for arts and cultural exchanges in departments other than State and the Federal cultural agencies (e.g., Defense Department, Commerce Department, etc.) to encourage the sending of artists and technical assistance to localities deemed to be less developed and comfortable.

#### CONGRESSIONAL ACTION

We encourage the relevant committees in Congress, in particular the House and Senate Foreign Affairs Committees, to hold a series of public hearings on the proposals coming out of the National Convening on Cultural Diplomacy.

We believe that congressional hearings are key to the development of new and expanded legislation and programs in support of two-way cultural exchanges, for all the reasons and recommendations outlined above.

We offer the Arts and Artifacts Indemnity Act of 1975 for consideration by the Congress in its deliberations as a legislative model of the time proven success of international cooperation and cultural exchange.

We recommend the inclusion in such hearings of a broad representation of knowledgeable parties, especially representatives of state and local arts and humanities councils and agencies and of professional service organizations.

Finally, we again urge the reintroduction and passage by Congress of the Arts Require Timely Service Act [H.R. 1785 and S. 1409] as an essential component of cultural exchange and the enrichment and diversity of the cultural experience of the American public.

#### LAW STUDENT PARTICIPATION ACT

Mr. CARDIN. Mr. President, I have introduced the Law Student Participation Act of 2009.

The bill creates exceptions to Federal conflicts of interest law which generally prohibits Federal employees from acting as an attorney or agent in a matter adverse to the U.S. government. The legislation directs the exceptions to Federal employees attending law school and participating in legal clinics and employees of the District of Columbia who staff legal clinics. Where the Federal employee has participated personally and substantially in the matter or the matter is before the employee's particular agen-

cy or department, specific conflicts of interest provisions still apply. The current law is over broad and denies learning and teaching opportunities where no real conflict may exist.

Law schools, including schools in my home State, have voiced concern over the present law. Some of these schools include the University of Maryland, the University of the District of Columbia, and Georgetown University School of Law. The schools have related stories of students, who are Federal employees, regulated to clinics dealing only with state matters. In other instances a student might start working on a client's matter, but will be unable to continue once the matter goes to trial or before an administrative proceeding. Law schools complain that under such circumstances the client's right to effective counsel is diminished. Due to a requirement I championed, the University of Maryland School of Law faces unique challenges. Each student must provide legal services to the poor or persons who otherwise lack access to justice prior to graduation. Federal employees, unlike other students, must choose from a smaller selection of clinics due to the current Federal conflicts of interest law. Finally, if Federal employee students seek careers in practice areas where Federal law predominates, they likely will obtain no practical clinic experience in law school.

It should be noted that the Office of Government Ethics, OGE, and the Department of Justice are aware of the text of the bill. Both have conveyed informally that they do not have problems with this legislation. The OGE released a report in 2006 that was critical of current Federal conflict of interest law as being overbroad and specifically pointed out that volunteer work was frequently barred even when no potential for conflict of interest existed.

The current law deprives law students who are Federal employees of valuable practical educational opportunities. Ultimately participation in these clinics would result in better attorneys many of whom later go on to work for the Federal government.

#### ADDITIONAL STATEMENTS

##### REMEMBERING SOL PRICE

• Mrs. BOXER. Mr. President, I am honored to remember Sol Price, who passed away on December 14, 2009, at the age of 93. Sol was a man of vision in business, charity, and community. I will remember his great accomplishments, but I will also remember him as a wonderful man and a dear friend.

A trendsetter in retail, Sol Price founded FedMart and the Price Club, which subsequently sparked the wholesale warehouse industry. He envisioned providing consumers with products at low prices while providing good wages and working conditions for his employees. When FedMart opened its first